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3 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

4 CARLOS ROMAN,

5 Plaintiff,

6 v.

7 WASHINGTON CORRECTIONAL  
8 FACILITY, et al.,

9 Defendants.

CASE NO. C11-5234BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

10 This matter comes before the Court on the Report and Recommendation ("R&R")  
11 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 26. The  
12 Court having considered the R&R and the remaining record, and no objections having  
13 been filed, does hereby find and order as follows:

- 14 (1) The R&R is **ADOPTED**; and  
15 (2) This action is **DIMISSED without prejudice** for the reasons discussed in  
16 the R&R; and  
17 (3) Defendants' motion for extension of time to continue dispositive motion  
18 deadline (Dkt. 24) is **DENIED as moot**.

19 Dated this 22nd day of November, 2011.

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22 BENJAMIN H. SETTLE  
United States District Judge